

TIPPECANOE COUNTY BOARD OF COMMISSIONERS
SPECIAL MEETING
APRIL 23, 2002

The Tippecanoe County Commissioners met on Tuesday, April 23, 2002 at 10:00 A.M. in the Tippecanoe Room in the County Office Building. Commissioners present were: President John L. Knochel, Vice President KD Benson, and Member Ruth E. Shedd; Auditor Robert A. Plantenga, Commissioners' Assistant Jennifer Weston, County Attorney David W. Luhman, and Secretary Pauline E. Rohr.

President Knochel called the meeting to order.

PUBLIC HEARING: Petition for Vacation of a Public Way: A Portion of Swisher Road

Attorney Luhman explained the procedure for today's hearing. He said the Petition for Vacation of a Public Way was presented last month and notices to abutting property owners were sent. The petitioner will be given time for a presentation after which members of the public will be allowed three (3) minutes each to present their comments regarding the request. The petitioner will have the opportunity to respond to the public comments.

Dan Saffen, Chief Landscape Architect for the DNR Engineering Division and Project Manager of Phase I construction, and Kevin Rearick, PE, representing Quant Inc. Engineer Designers for Phase I construction of the bridge and internal road of Prophetstown State Park, presented the Petition for Vacation of a portion of Swisher Road.

Mr. Saffen reviewed that, when all the land is acquired, the 3,000 acre Prophetstown State Park will be bordered by the Tippecanoe and Wabash Rivers, Interstate 65, and the Town of Battleground with access from SR 43. Construction has already begun on the bridge that will take SR 225 over the realigned Swisher Road that will run through the Park. This Summer, the DNR plans to discontinue the intersection of Swisher Road and SR 225 and construct a run around road that will serve as SR 225. This temporary road will then be removed when the bridge is completed.

Mr. Saffen said they requested the vacation of 3,700 feet of Swisher Road west from SR 225 but they are amending that to only 2,500 feet that runs between land the DNR already owns. They are still requesting an effective date of June 3, 2002.

Public Comments

George Riggle, 5448 Swisher Rd.: Mr. Riggle wanted to clarify where the vacation requested today will end.

Marilyn Riggle, 5448 Swisher Rd.: Mrs. Riggle said the DNR is planning to spend a lot of money without having all the land acquired. As an affected landowner, Mrs. Riggle said their lives have been put on hold too long. She thinks the DNR should purchase all the necessary land before proceeding.

Maurice Williamson, 4000 Morehouse Rd.: Mr. Williamson said the Museum has experienced delays but he urged all to work together to move the program forward.

Meredith Richmond, 106 Main St., Battleground: She said this area has historic importance and will help attract business and industry. She thinks the acquisition of property from the current landowners should be a priority.

Jeff Brown, 5901 E 200 N: Mr. Brown said he and his brother farm inside the park area but the DNR has not contacted them to purchase their land. Closing Swisher Road will cause them inconvenience when moving between the areas they farm. He thinks the DNR should own all the land they need before the road is closed.

Nola Gentry, 2722 Covington St., W. Laf.: As current president of the Prophetstown Board, she said she also hoped the park would be further along. She supports closing the road to keep the project moving because the funding is available.

Mark Okos, 4505 Pretty Prairie Rd.: If Swisher Road is closed, Mr. Okos said he will have to travel an additional ten (10) miles and cross two sets of railroad tracks to reach the property he farms.

Norman Deboy, 5666 Swisher Rd.: Exhibiting a copy of the 1998 Master Plan for the Park, Mr. Deboy said it has changed and believes it will change again if a new person is put in charge. He pointed out that the Park will be landlocked from the Tippecanoe River because they haven't acquired the land in between. If Swisher Road is closed, the distance from the fire department to his property will increase to almost 4.5 miles.

David Linder, 4689 N 9th St. Rd.: Mr. Linder thinks it is common sense to let the landowners use Swisher Road until the gate is opened to the Park. He said sending the traffic through Battleground will increase their traffic and be an inconvenience.

Mike Deboy, 161 Hollowview Dr., Noblesville: Mr. Deboy said he is concerned about the impact closing the road will have on his parents and others who live on the west end of Swisher Road in case of an emergency. He said the distance from Battleground for emergency vehicles will increase from $\frac{3}{4}$ mile to 4 to 6 miles when they are rerouted along North 9th St. Road extended to the far west end of Swisher Road.

Commissioner Knochel asked Mr. Saffen to address the emergency response issue for residents on Houston Road as well as Swisher Road. Mr. Saffen responded that Houston Road parallels the Wabash River and connects to SR 225 that will remain open with the run around. He said when the bridge is completed, emergency vehicles will be able to enter the Park's Service Area from SR 225 and proceed to the connector road to the internal road in the Park. He said this plan has been cleared both verbally and in writing with all emergency agencies.

Commissioner Benson asked if the Service loop will be completed before the vacation of the road occurs. Mr. Rearick said the piece of the Park road that will go under the bridge cannot be constructed until the run around is removed, and the piece at the very beginning of the Park road as it deviates from Swisher Road will be missing for an estimated six weeks.

Commissioner Benson asked for the downside to keeping Swisher Road open. Mr. Rearick responded that constructing the road approach to the 25' high overpass over the Park road will take time. He pointed out that the newly constructed SR 225 run around will be 7' higher than the current road. To reconnect Swisher Road to SR 225 could cost as much as \$120,000 more but would not meet INDOT's requirement of a safe site distance.

Commissioner Shedd asked when the remaining acreage will be acquired. Mr. Saffen explained he is not in the Land Acquisition Division but said they have to have the money before the land can be purchased. The funds have been dedicated from INDOT for the work they are currently doing. He noted that the Governor has frozen funds for all new capital projects. Mr. Saffen offered to delay the requested time for vacating Swisher Road from June 3rd until August 15th.

Commissioner Benson said she understands the DNR cannot request this vacation again for two (2) years if it is denied. She asked if the funds in place are for a specific project. Mr. Saffen said he didn't know what would happen since the bridge construction is already under way with INDOT funds.

Commissioner Shedd said she would like to continue the Hearing on this request to a later date to give the Commissioners time to gather more information.

- Commissioner Benson moved to continue this Public Hearing until 10:30 A.M., Monday, May 13, 2002, seconded by Commissioner Shedd; motion carried.

ADJOURNMENT

- Commissioner Benson moved to adjourn, seconded by Commissioner Shedd; motion carried.

Robert A. Plantenga, Auditor

